

**CASCADE COUNTY PLANNING BOARD**

PLANNING STAFF: Report and Recommendations

REGARDING: Planning Board Public Hearing on December 4, 2018

SUBJECT: Variance Request for Major Subdivision Preliminary Plat, Rolling Meadows Phase 3, located in the SW 1/4 of Section 32, T. 20 N., R. 2 E., P.M.M. Cascade County, Montana

PRESENTED BY: Sandor Hopkins, Planner

**GENERAL INFORMATION**

Applicants/Owners: Robert & Gale Morgan, Bonesteel LLC

Property Location: This proposed subdivision is Rolling Meadows, Phase 3, Major Subdivision, Parcel #0005956100, Geo Code 02-3014-32-3-05-01-0000 in the SW 1/4, Section 32, Township 20 N., Range 2 E., P.M.M. Cascade County, Montana.

Existing Zoning: Mixed Use

Requested Action: Subdivision Variance Review

Purpose: Variance request from roads meeting current County standards

Existing Land Use: The existing lot is undeveloped but road infrastructure is in place

Surrounding Land Uses: Residential, Agricultural

**SPECIAL INFORMATION**

1. The Planning Board is in receipt of an application from Robert and Gale Morgan, Bonesteel LLC, for a variance from current Cascade County Road Standards for the Rolling Meadows Phase III Major Subdivision. This proposed subdivision, is located in the SW 1/4, Section 32, Township 20 N., Range 2 E., P.M.M. Cascade County, Montana
2. The roads were certified to meet Cascade County standards when they were constructed as part of the first two phases of the Rolling Meadows Subdivision when the final plats were filed November 7, 1996 and June 13, 1997.
3. The original Rolling Meadows Phase III was given final plat approval on April 4, 2000, which required that the roads met County standards at that time.
4. Pursuant to 76-3-605, MCA a public hearing is required for this major subdivision variance request.
5. Rolling Meadows Phase III was granted preliminary plat approval by the Cascade County Commission on June 26, 2018.

6. Legal notice of this proposed subdivision variance was sent to surrounding property owners on November 16, 2018 and appeared in the Great Falls Tribune on November 18, 2018 & November 25, 2018.
7. The Cascade County Road and Bridge Division and the Ulm Volunteer Fire Department were provided with notification letters and a request for comments on November 16, 2018.

## **CONCLUSION**

Staff agrees with the applicant's assessment that bringing the road up to current County standards would create an undue hardship on the developer. The roads and infrastructure were built with the expectation that Phase III would have been filed when final plat approval was granted in 2000. Staff cannot account for economic, development, or other considerations that were made when the developer initially delayed filing of the final plat, however Staff believes that all work was done in good faith and that it is unnecessary for the developer to rebuild their road to meet current standards and regulations.

## **RECOMMENDATIONS**

The following motions are provided for the Board's consideration:

"I move to recommend to the Cascade County Commission after consideration of the Staff Report, **deny**, a subdivision variance request from County Road Standards for Rolling Meadows Phase III Major Subdivision;"

or

"I move to recommend to the Cascade County Commission after consideration of the Staff Report, adopt said Staff Report and **approve**, a subdivision variance request from County Road Standards for Rolling Meadows Phase III Major Subdivision."

Attachments: Reduced Copy of Preliminary Plat  
Variance Request

cc: Robert and Gale Morgan, Bonesteel LLC  
Tony Prothero, Shedhorn Engineering LLC